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Paper No. 6

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JUN 20 2001

**OFFICE OF PETITIONS
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DECISION ON PETITION JUN 25 2001

In re Application of
Whay S. Lee
Application No. 09/624,850
Filed: July 25, 2000.
Attorney Docket No.
5181-55000

This is a decision on the petition filed February 27, 2001, requesting that the above-identified application be accorded a filing date of July 25, 2000. The delay in treating this petition is regretted.

The application was filed on July 25, 2000. However, on September 14, 2000, Initial Patent Examination Division mailed a Notice of Omitted Items in a Nonprovisional Application (hereinafter "Notice"), stating that the application had been accorded a filing date of July 25, 2000, and advising applicants that Figures 2f - 22e described in the specification appeared to be missing.

In response, on October 5, 2000, applicant submitted a Preliminary Amendment and Response to Notice of Omitted Item(s) wherein Petitioner states that the references to Figures 2f - 22e in the specification are typographical errors and that no drawing was omitted. The Preliminary Amendment deletes references to Figures 2f - 22e in the specification.

Petitioner avers that he subsequently received a second Filing Receipt on February 12, 2001, indicating a new filing date of October 5, 2000¹.

Petitioners responds with the instant Petition. The petition argues that no new matter has been added, nor were any omitted

¹There is no record in the PALM database, nor in the file, of this Office having mailed the filing receipt on February 12, 2001. The PALM database, however, at the time this decision was written, reflect this application's filing date as October 5, 2001.

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items submitted, thus the original filing date of July 25, 2000 should be retained.

Based on the statements made in the petition, which is signed by a registered practitioner, it appears that the references in the specification to Figures 2f - 22e are typographical errors and that no drawings containing Figures 2f - 22e were intended to be filed on July 25, 2000.

In view of the above, the petition is granted.

The petition is granted.

No petition fee is required and none has been charged.

The application will be returned to the Initial Patent Examination Division to issue a corrected Filing Receipt with a filing date of July 25, 2000. Thereafter the application will be forwarded to Technology Center 2700 for further processing in due course.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.



Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/624,850	10/05/2000 7/25/2000	2783	1092	5181-55000	8	34	3

CONFIRMATION NO. 6556

FILING RECEIPT



OC000000005748049

Robert C Kowert
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PO Box 398
Austin, TX 78767-0398

Date Mailed: 07/23/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Whay S. Lee, Newark, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 09/13/2000

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

Title

System and method for implementing a routing scheme in a computer network using intention packets when fault conditions are detected

Preliminary Class

712

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Data entry by : DADE, JOAN

Team : 2800

Date: 07/23/2001



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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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Bib Data Sheet

CONFIRMATION NO. 6556

SERIAL NUMBER 09/624,850	FILING DATE 07/25/2000 RULE	CLASS 712	GROUP ART UNIT 2664	ATTORNEY DOCKET NO. 5181-55000
APPLICANTS Whay S. Lee, Newark, CA; ** CONTINUING DATA ***** N/A ** FOREIGN APPLICATIONS ***** N/A				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 09/13/2000				
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after met Verified and Acknowledged <u>Examiner's Signature</u> <u>Initials</u>		STATE OR COUNTRY CA	SHEETS DRAWING 8	TOTAL CLAIMS 34
			INDEPENDENT CLAIMS 3	
ADDRESS Robert C Kowert Conley Rose & Tayon PC PO Box 398 Austin ,TX 78767-0398				
TITLE System and method for implementing a routing scheme in a computer network using intention packets when fault conditions are detected				
FILING FEE RECEIVED 1092	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	